

* * * Transmission Result Report (MemoryTX) (Oct. 7. 2004 3:52PM) * * *

1) KCI Legal IP
2)

Date/Time: Oct. 7. 2004 3:48PM

File	No. Mode	Destination	Pg (s)	Result	Page Not Sent
4481	Memory TX	917037464889-----1098991	P. 11	OK	

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Date: *Oct. 7, 2004*
September 24, 2004

No. of Pages: 11

TO: Examiner Danton Demille

COMPANY: USPTO

FAX: 703-746-4889

FROM: Eric W. Cernyar

DEPARTMENT: Legal

FAX: 210 255 6969

PHONE: (210) 863-0063

RE: Patent Application No.: 09/458,280
Our File No.: VAC331A.US

Message:

Per our discussion, please see attached Notice of Appeal
filed May 24, 2004

Also enclosed is a copy of our Deposit Account monthly
statement showing the charge for filing the Notice of
Appeal and Request for Extension of Time. Amounts are
circled for your convenience.

If you require anything further, please do not hesitate to
contact me.

KCI/Charles/Fax Cover Sheet/USPTO Fax Cover Sheet Exam. Danton Demille

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Manufacturing:
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Oct. 7, 2004
Date: ~~September 24, 2004~~

No. of Pages: *11*

*Response to
2nd Request
to Respond —*

TO: Examiner Danton Demille

COMPANY: USPTO

FAX: 703-746-4889

FROM: Eric W. Cernyar

DEPARTMENT: Legal

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PHONE: (210) 863-0063

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Our File No.: VAC.331A.US

Message:

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Auto-Reply Facsimile Transmission



TO: Fax Sender at 210 255 4440

Fax Information

Date Received:

5/24/2004 3:37:42 PM [Eastern Daylight Time]

Total Pages:

6 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

May 24, 2004 2:52 PM KCI Legal LP

No. 3162 P. 1



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DATE: May 24, 2004

TO: U.S. Patent Office

FAX: 703-872-9308

FROM: Eric W. Cerny

PHONE: (210) 883-0083

Number of pages including cover sheet: 8

RE: Patent App. No. 09/458,280

Title: "THERAPEUTIC APPARATUS FOR TREATING ULCERS"

Filed: December 10, 1999

Examiner: Demille, Danton

Art Unit: 3764

Docket No.: VAC.331AUS

Enclosed:

1. Transmittal Form (PTO/SB/21);
2. Fee Transmittal in duplicate (PTO/SB/17);
3. Petition for 3 Month Extension of Time (PTO/SB/22); and
4. Notice of Appeal (PTOSB/31).

Eric W. Cerny

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DATE: May 24, 2004

TO: U.S. Patent Office

FAX: 703-872-9306

FROM: Eric W. Cernyar

PHONE: (210) 863-0063

Number of pages including cover sheet: 6

RE: Patent App. No. 09/458,280
Title: "THERAPEUTIC APPARATUS FOR TREATING ULCERS"
Filed: December 10, 1999
Examiner: Demille, Danton
Art Unit: 3764
Docket No.: VAC.331A.US

Enclosed:

1. Transmittal Form (PTO/SB/21);
2. Fee Transmittal in duplicate (PTO/SB/17);
3. Petition for 3 Month Extension of Time (PTO/SB/22); and
4. Notice of Appeal (PTOSB/31).

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* * * Transmission Result Report (MemoryTX) (May. 24. 2004 2:34PM) * * *

1) KCI Legal IP
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Date/Time: May. 24. 2004 2:32PM

File	No. Mode	Destination	Pg(s)	Result	Page Not Sent
3102 Memory TX		917038729306-----1098991	P. 6	OK	

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DATE: May 24, 2004

TO: U.S. Patent Office

FAX: 703-872-9308

FROM: Eric W. Cerny

PHONE: (210) 662-0093

Number of pages including cover sheet: 6

RE: Patent App. No. 09/458,280
Title: THERAPEUTIC APPARATUS FOR TREATING ULCERS
Filed: December 10, 1999
Examiner: Demilla, Denton
Art Unit: 3764
Docket No.: VAC.331A.US

Enclosed:

1. Transmittal Form (PTO/SB/21);
2. Fee Transmittal in duplicate (PTO/SB/17);
3. Petition for 3 Month Extension of Time (PTO/SB/22); and
4. Notice of Appeal (PTO/SB/31).

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/458,280	
	Filing Date	12/10/1999	
	First Named Inventor	Vogel, Richard C	
	Art Unit	3764	
	Examiner Name	DeMille, Danton	
Total Number of Pages in This Submission	5	Attorney Docket Number	VAC.331A.US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (Duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric W. Cernyar, Reg. No. 45,919
Signature	<i>Eric W. Cernyar</i>
Date	May 24, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Eric W. Cernyar		
Signature	<i>Eric W. Cernyar</i>	Date	May 24, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,280.00

Complete if Known

Application Number 09/458,280
 Filing Date 12/10/1999
 First Named Inventor Vogel, Richard C.
 Examiner Name DeMille, Danton
 Art Unit 3764
 Attorney Docket No. VAC.331A.US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit
 Account
 Number
 Deposit
 Account
 Name

500-326

Kinetic Concepts, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	950.00
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	330.00
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,280.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Eric W. Cernyar Registration No. 45,919 Telephone 210 863 0063
 Signature [Signature] (Attorney/Agent) Date May 24, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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